

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ANGELIA MOFFET,	§
	§ No. 488, 2006
Respondent Below-	§
Appellant,	§
	§ Court Below—Family Court
v.	§ of the State of Delaware
	§ in and for Kent County
JEFFREY T. MOFFET,	§ Petition No. 05-23488
	§ File No. CK93-4161
Petitioner Below-	§
Appellee.	§

ORDER

This 12th day of January 2007, it appears to the Court that:

(1) The respondent-appellant, Angelia Moffet, filed an appeal from the Family Court's August 11, 2006 custody/visitation order regarding the parties' minor child. Moffet's opening brief was due to be filed on or before October 26, 2006. On October 27, 2006, the Clerk sent Moffet a brief delinquency notice. Moffet did not respond to the notice.

(2) On November 8, 2006, the Clerk issued a notice to show cause why the appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for Moffet's failure to diligently prosecute the appeal by timely filing her opening brief and appendix. The docket reflects that Moffet received the notice to show cause on November 16, 2006. As of the date of this Order,

Moffet has not responded to the notice to show cause. As such, dismissal of this action is deemed to be unopposed.*

NOW, THEREFORE, IT IS ORDERED that, pursuant to Supreme Court Rules 3(b) (2) and 29(b), the within appeal is DISMISSED.

BY THE COURT:

/s/ Jack B. Jacobs
Justice

* Supr. Ct. R. 3(b) (2).